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Meeting ID: 824 5089 2867

Meeting Guidelines and Participation Rules

- a) We encourage you to join the meeting prior to its start time.
- b) You will join muted and will remain muted until you are acknowledged during the Public Comment portion of the meeting. The meeting organizer will request that the participant unmutes their microphone when it is their turn to comment.
- c) To participate in the Public Comment portions of the meeting you must “raise” your hand to be recognized. The “raise hand” feature is located in the participant list section of the Zoom app. If you are calling in by telephone using the dial in features, you must press *9 to raise your hand. In addition, you must dial *6 to unmute yourself when prompted to do so.
- d) You may also submit written comments to the Township Committee through the Township Clerk, by e-mailing publiccomment@townshipofwall.com or by written letter to the Township Clerk by 9:00am the day of the meeting.
- e) To participate in public comment, you must state your Name and Address for the record.
- f) Please note Public Comments are limited to seven (7) minutes.

****Please Note**** In order maintain necessary decorum, violators of the above rules will be disconnected from the meeting.



TOWNSHIP OF WALL
REGULAR MEETING AGENDA
JANUARY 27, 2021

7:00 PM
REMOTE MEETING

Please be advised that while Townhall is closed to the public, the Township Committee will be conducting the following workshop meeting by remote access in accordance with the stipulations made by the State of New Jersey. The meeting will be accessible via phone or by computer. Please click the link below for access to the meeting.

<http://wallnj.com/zoom/tc>

Agenda Review:

1. Sunshine Statement

In compliance with the "Open Public Meetings Act," Chapter 231, P.L. 1975, adequate notice of this meeting has been provided in the following manner: the annual notice was forwarded to the official township newspapers and was posted in the Wall Township Municipal Building. All notices are on file with the Township Clerk.

2. Roll Call

3. Review of the Public Business Meeting Agenda

Public Business Portion:

4. COVID-19 Update

5. INTRODUCTION OF **ORDINANCE NO. 1-2021** AN ORDINANCE OF THE TOWNSHIP OF WALL DELETING CHAPTER 140 ARTICLE XXXIII AND CREATING A NEW CHAPTER 140 ARTICLE XXXIII "STORMWATER MANAGEMENT"

Re: Stormwater Management

Motion that **ORDINANCE NO. 1-2021** be adopted as to its first reading and advertised for second reading and public hearing on **February 24, 2021** at 7:00 pm. Pursuant to law.

Motion - Seconded - Roll-Call Vote

6. INTRODUCTION OF **ORDINANCE NO. 2-2021** AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 215-33 OF THE TOWNSHIP CODE ESTABLISHING NO PARKING IN THE TOWNSHIP

Re: No Parking on Walling Avenue

Motion that **ORDINANCE NO. 2-2021** be adopted as to its first reading and advertised for second reading and public hearing on **February 24, 2021** at 7:00 pm. Pursuant to law.

Motion - Seconded - Roll-Call Vote

7. INTRODUCTION OF **ORDINANCE NO. 3-2021** AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL TO AMEND THE ZONING MAP TO REZONE PORTIONS OF BLOCK 942 LOT 132 FROM OR-10 TO AH4

Re: Rezone Block 942 Lot 132

Motion that **ORDINANCE NO. 3-2021** be adopted as to its first reading and advertised for second reading and public hearing on **February 24, 2021** at 7:00 pm. Pursuant to law.

Motion - Seconded - Roll-Call Vote

8. **Consent Agenda:**

All items listed on the "Consent Agenda" are considered routine by the Township and will be adopted or approved collectively by a single motion and roll-call vote of a majority of the Township Committee. All items are available for public inspection at this meeting and in the office of the Township Clerk. There will be no separate discussion of these items. If a discussion is desired on any item, it will be considered separately. The Mayor asks if any member of the Township Committee wishes to consider any item separately. If not, he/she requests a **Motion** to approve the items listed. **Motion- Second-Roll Call Vote**

- A. **Approval of Minutes:**
 - o 01/06/2021
- B. **Resolution No. 21-0142** - Approval of vouchers for January 14, 2021 through January 27, 2021 in the amount of \$3,409,412.77
- C. **Resolution No. 21-0143** - Authorization to execute a contract with Payargo service to automate the processing of online bank checks for Tax and Utility payments with a set up not to exceed \$1,000.00 and a cost per transaction of .15 cents
- D. **Resolution No. 21-0144** - Authorization to execute a contract with Motorola Solutions, Inc. for the improvements to the police communication system under State Contract #83909 in an amount not to exceed \$1,552,265.10
- E. **Resolution No. 21-0145** - Authorization of Change Order No. 1 for the Improvements to Brighton Avenue with a reduction of \$19,376.92
- F. **Resolution No. 21-0146** - Authorization to execute a contract with Solitude Lake Management for treatment of Osborn's Mills Pond at a price not to exceed \$6,196.00
- G. **Resolution No. 21-0147** - Authorization to appoint alternate municipal prosecutors for the Wall Township Municipal Court
- H. **Resolution No. 21-0148** - Authorization to approve certain Township refund(s)
 - o Tax
- I. **Resolution No. 21-0149** - Authorization to approve of Tax Exemption(s) from all taxes for a Totally Disabled Veteran
- J. **Resolution No. 21-0150** - Authorization to execute a contract with Custom Concrete for an equipment storage building floor through State Contract #T0278 at a cost not to exceed \$25,050.00
- K. **Resolution No. 21-0151** - Authorization to appoint members to the Senior Citizens Advisory Board
- L. **Resolution No. 21-0152** - Authorization to approve personnel actions:

<u>NAME</u>	<u>DEPARTMENT/POSITION</u>	<u>SALARY</u>	<u>EFFECTIVE DATE</u>
Dean Kessler	DPW/ Part-Time Recycling Center Attendant	\$13.96/ hour	1/28/2021

- M. **Resolution No. 21-0153** - Authorization of transfers between appropriation reserves – N.J.S.A. 40A:4-59
- N. **Resolution No. 21-0154** - Authorization to execute Change Order No. 1- Final which decreases the contract in the amount of \$28,113.75 with MECO, Inc. for 2018 paving of various roads
- O. **Resolution No. 21-0155** - Authorization to execute Change Order No. 2- Final which decreases the contract in the amount of \$113,884.36 with MECO, Inc. for 2019 paving of various roads
- P. **Resolution No. 21-0156** - Authorization to establish the time set aside for public comment at Wall Township Committee meetings

End of Consent Agenda:

Motion - Second - Roll Call Vote

Public Comment:

The public comment portion of our meeting is to allow the public to bring to the Committee's attention their concerns or comments. In accordance with N.J.S.A. 10: 4-12(a), the Committee asks the public to limit their comments to seven minutes or less. The Committee will respect the public's time by refraining any comment until the speaker has finished with their allotted time. It should be further noted that the public comment portion of our meeting is not structured as a question-and-answer session. If a member of the public has questions, they seek answers to, an appointment can be made with the Township Administrator's office during regular business hours. The attorney will regulate the time during the comment portion of our meeting.

- 9.
- 10. **Close Public Comment:**
Motion - Second – Roll Call Vote
- 11. **Closing Comments from the Township Committee:**
- 12. **Resolution No. 21-0157** - Authorization to discuss matters in private session
Motion - Second – Roll Call Vote
- 13. **Motion to Adjourn:**
Motion - Second - Voice Vote - All in Favor

TOWNSHIP OF WALL

ORDINANCE NO. 1-2021

AN ORDINANCE OF THE TOWNSHIP OF WALL REPEALING AND REPLACING CHAPTER 140 ARTICLE XXXIII AND ADOPTING A NEW CHAPTER 140 ARTICLE XXXIII “STORMWATER MANAGEMENT” TO REFLECT THE AMENDMENTS TO THE STORMWATER MANAGEMENT RULES AT N.J.A.C. 7:8

WHEREAS, the Township of Wall has established Stormwater Management Rules; and

WHEREAS, the State of New Jersey requires that all municipalities revise their municipal stormwater control ordinances to reflect amendments to the Stormwater Management rules at N.J.A.C. 7:8 by March 2, 2021.

WHEREAS, pursuant to the New Jersey State directive, the purpose of this Ordinance is to supplement and repeal Chapter 140, Article XXXIII of the Township of Wall Municipal Code. This Ordinance will repeal and replace Chapter 140, Article XXXIII to incorporate the new Stormwater Management rules at N.J.A.C. 7:8.

NOW, THEREFORE, BE IT ORDAINED, by the governing body of the Township of Wall as follows:

SECTION ONE. It is the intent of this ordinance to incorporate the amendments to the Stormwater Management rules at N.J.A.C. 7:8. The amended section of the Township Code shall read as appears in Appendix “A” appended hereto and incorporated herein by reference.

SECTION TWO. This Ordinance shall hereby become effective upon final passage and publication as provided by law; and

SECTION THREE. REPEALER. All Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency. The Township Clerk is authorized to renumber and/or re-codify any sections affected by such repeal to the extent consistent with this Ordinance.

SECTION FOUR. SEVERABILITY. If any word, phrase, clause, section or provision of this Ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional such word, phrase, clause, section or provision shall be severable from the balance of the Ordinance and the remainder of the Ordinance shall remain in full force and effect.

SECTION FIVE. EFFECTIVE DATE. This Ordinance shall take effect upon publication thereof after final passage according to law.

**CHAPTER 140 – LAND USE
ARTICLE XXXIII - STORMWATER MANAGEMENT**

140-240 Scope and Purpose:

A. Policy Statement

Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and low impact development (LID) should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

B. Purpose

The purpose of this ordinance is to establish minimum stormwater management requirements and controls for “major development,” as defined below in Section 140-241.

C. Applicability

(1) This ordinance shall be applicable to the following major developments:

- (a) Non-residential major developments; and
- (b) Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.

(2) This ordinance shall also be applicable to all major developments undertaken in the Township of Wall.

D. Compatibility with Other Permit and Ordinance Requirements

Development approvals issued pursuant to this ordinance are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

140-241 Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:8-1.2.

CAFRA Centers, Cores or Nodes means those areas with boundaries incorporated by reference or revised by the Department in accordance with N.J.A.C. 7:7-13.16.

CAFRA PLANNING MAP means the map used by the Department to identify the location of Coastal Planning Areas, CAFRA centers, CAFRA cores, and CAFRA nodes. The CAFRA Planning Map is available on the Department's Geographic Information System (GIS).

COMMUNITY BASIN means an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond, established in accordance with N.J.A.C. 7:8-4.2(c)14, that is designed and constructed in accordance with the New Jersey Stormwater Best Management Practices Manual, or an alternate design, approved in accordance with N.J.A.C. 7:8-5.2(g); for an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond and that complies with the requirements of this chapter.

COMPACTION means the increase in soil bulk density.

CONTRIBUTORY DRAINAGE AREA means the area from which stormwater runoff drains to a stormwater management measure, not including the area of the stormwater management measure itself.

CORE means a pedestrian-oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation.

COUNTY REVIEW AGENCY means an agency designated by the County Board of Chosen Freeholders to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

- A. A county planning agency or
- B. A county water resource association created under N.J.S.A 58:16A-55.5, if the ordinance or resolution delegates authority to approve, conditionally approve, or disapprove municipal stormwater management plans and implementing ordinances.

DEPARTMENT means the Department of Environmental Protection.

DESIGNATED CENTER means a State Development and Redevelopment Plan Center as designated by the State Planning Commission such as urban, regional, town, village, or hamlet.

DESIGN ENGINEER means a person professionally qualified and duly licensed in New Jersey to perform engineering services that may include, but not necessarily be limited to, development of project requirements, creation and development of project design and preparation of drawings and specifications.

DEVELOPMENT means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlarge-enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission is required under the Municipal Land Use Law, N.J.S.A. 40:55D-1 *et seq.*

In the case of development of agricultural land, development means: any activity that requires a State permit, any activity reviewed by the County Agricultural Board (CAB) and the State Agricultural Development Committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act , N.J.S.A 4:1C-1 *et seq.*

DISTURBANCE means the placement or reconstruction of impervious surface or motor vehicle surface, or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation. Milling and repaving is not considered disturbance for the purposes of this definition.

DRAINAGE AREA means a geographic area within which stormwater, sediments, or dissolved materials drain to a particular receiving waterbody or to a particular point along a receiving waterbody.

ENVIRONMENTALLY CONSTRAINED AREA means the following areas where the physical alteration of the land is in some way restricted, either through regulation, easement, deed restriction or ownership such as: wetlands, floodplains, threatened and endangered species sites or designated habitats, and parks and preserves. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

ENVIRONMENTALLY CRITICAL AREA means an area or feature which is of significant environmental value, including but not limited to: stream corridors, natural heritage priority sites, habitats of endangered or threatened species, large areas of contiguous open space or upland forest, steep slopes, and well head protection and groundwater recharge areas. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

EMPOWERMENT NEIGHBORHOODS means neighborhoods designated by the Urban Coordinating Council "in consultation and conjunction with" the New Jersey Redevelopment Authority pursuant to N.J.S.A 55:19-69.

Erosion means the detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

GREEN INFRASTRUCTURE means a stormwater management measure that manages stormwater close to its source by:

1. Treating stormwater runoff through infiltration into subsoil;
2. Treating stormwater runoff through filtration by vegetation or soil; or
3. Storing stormwater runoff for reuse.

HUC 14 or **HYDROLOGIC UNIT CODE 14** means an area within which water drains to a particular receiving surface water body, also known as a subwatershed, which is identified by a 14-digit hydrologic unit boundary designation, delineated within New Jersey by the United States Geological Survey.

IMPERVIOUS SURFACE means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

INFILTRATION is the process by which water seeps into the soil from precipitation.

LEAD PLANNING AGENCY means one or more public entities having stormwater management planning authority designated by the regional stormwater management planning committee pursuant to N.J.A.C. 7:8-3.2, that serves as the primary representative of the committee.

MAJOR DEVELOPMENT means an individual “development,” as well as multiple developments that individually or collectively result in:

- A. The disturbance of one or more acres of land since February 2, 2004;
- B. The creation of one-quarter acre or more of “regulated impervious surface” since February 2, 2004;
- C. The creation of one-quarter acre or more of “regulated motor vehicle surface” since March 2, 2021
; or
- D. A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of paragraphs 1, 2, 3, or 4 above. Projects undertaken by any government agency that otherwise meet the definition of “major development” but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered “major development.”

MOTOR VEHICLE means land vehicles propelled other than by muscular power, such as automobiles, motorcycles, autocycles, and low speed vehicles. For the purposes of this definition, motor vehicle does not include farm equipment, snowmobiles, all-terrain vehicles, motorized wheelchairs, go-carts, gas buggies, golf carts, ski-slope grooming machines, or vehicles that run only on rails or tracks.

MOTOR VEHICLE SURFACE means any pervious or impervious surface that is intended to be used by “motor vehicles” and/or aircraft, and is directly exposed to precipitation including, but not limited to, driveways, parking areas, parking garages, roads, racetracks, and runways.

MUNICIPALITY means any city, borough, town, township, or village.

NEW JERSEY STORMWATER BEST MANAGEMENT PRACTICES (BMP) MANUAL or **BMP MANUAL** means the manual maintained by the Department providing, in part, design specifications, removal rates, calculation methods, and soil testing procedures approved by the Department as being capable of contributing to the achievement of the stormwater management standards specified in this chapter. The BMP Manual is periodically amended by the Department as necessary to provide design specifications on additional best management practices and new information on already included practices reflecting the best available current information regarding the particular practice and the Department's determination as to the ability of that best management practice to contribute to compliance with the standards contained in this chapter. Alternative stormwater management measures, removal rates, or calculation methods may be utilized, subject to any limitations specified in this chapter, provided the design engineer demonstrates to the municipality, in accordance with Section 140-242.2.F. of this ordinance and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

NODE means an area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form.

NUTRIENT means a chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

PERSON means any individual, corporation, company, partnership, firm, association, political subdivision of this State and any state, interstate or Federal agency.

POLLUTANT means any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. §§ 2011 *et seq.*)), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land, ground waters or surface waters of the State, or to a domestic treatment works. "Pollutant" includes both hazardous and nonhazardous pollutants.

RECHARGE means the amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

REGULATED IMPERVIOUS SURFACE means any of the following, alone or in combination:

- A. A net increase of impervious surface;
- B. The total area of impervious surface collected by a new stormwater conveyance system (for the purpose of this definition, a "new stormwater conveyance system" is a stormwater conveyance system that is constructed where one did not exist immediately prior to its construction or an existing system for which a new discharge location is created);

- C. The total area of impervious surface proposed to be newly collected by an existing stormwater conveyance system; and/or
- D. The total area of impervious surface collected by an existing stormwater conveyance system where the capacity of that conveyance system is increased.

REGULATED MOTOR VEHICLE SURFACE means any of the following, alone or in combination:

- A. The total area of motor vehicle surface that is currently receiving water;
- B. A net increase in motor vehicle surface; and/or quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant, where the water quality treatment will be modified or removed.

SEDIMENT means solid material, mineral or organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water or gravity as a product of erosion.

SITE means the lot or lots upon which a major development is to occur or has occurred.

SOIL means all unconsolidated mineral and organic material of any origin.

“State Development and Redevelopment Plan Metropolitan Planning Area (PA1) means an area delineated on the State Plan Policy Map and adopted by the State Planning Commission that is intended to be the focus for much of the State’s future redevelopment and revitalization efforts.

STATE PLAN POLICY MAP is defined as the geographic application of the State Development and Redevelopment Plan’s goals and statewide policies, and the official map of these goals and policies.

STORMWATER means water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities, or conveyed by snow removal equipment.

STORMWATER MANAGEMENT BMP means an excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management BMP may either be normally dry (that is, a detention basin or infiltration system), retain water in a permanent pool (a retention basin), or be planted mainly with wetland vegetation (most constructed stormwater wetlands).

STORMWATER MANAGEMENT MEASURE means any practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances.

STORMWATER RUNOFF means water flow on the surface of the ground or in storm sewers, resulting from precipitation.

STORMWATER MANAGEMENT PLANNING AGENCY means a public body authorized by legislation to prepare stormwater management plans.

STORMWATER MANAGEMENT PLANNING AREA means the geographic area for which a stormwater management planning agency is authorized to prepare stormwater management plans, or a specific portion of that area identified in a stormwater management plan prepared by that agency.

TIDAL FLOOD HAZARD AREA means a flood hazard area in which the flood elevation resulting from the two-, 10-, or 100-year storm, as applicable, is governed by tidal flooding from the Atlantic Ocean. Flooding in a tidal flood hazard area may be contributed to, or influenced by, stormwater runoff from inland areas, but the depth of flooding generated by the tidal rise and fall of the Atlantic Ocean is greater than flooding from any fluvial sources. In some situations, depending upon the extent of the storm surge from a particular storm event, a flood hazard area may be tidal in the 100-year storm, but fluvial in more frequent storm events.

URBAN COORDINATING COUNCIL EMPOWERMENT NEIGHBORHOOD means a neighborhood given priority access to State resources through the New Jersey Redevelopment Authority.

URBAN ENTERPRISE ZONES means a zone designated by the New Jersey Enterprise Zone Authority pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et. seq.

URBAN REDEVELOPMENT AREA is defined as previously developed portions of areas:

- A. Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes;
- B. Designated as CAFRA Centers, Cores or Nodes;
- C. Designated as Urban Enterprise Zones; and
- D. Designated as Urban Coordinating Council Empowerment Neighborhoods.

WATER CONTROL STRUCTURE means a structure within, or adjacent to, a water, which intentionally or coincidentally alters the hydraulic capacity, the flood elevation resulting from the two-, 10-, or 100-year storm, flood hazard area limit, and/or floodway limit of the water. Examples of a water control structure may include a bridge, culvert, dam, embankment, ford (if above grade), retaining wall, and weir.

WATERS OF THE STATE means the ocean and its estuaries, all springs, streams, wetlands, and bodies of surface or groundwater, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

WETLANDS or **WETLAND** means an area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

140-242.1 Design and Performance Standards for Stormwater Management Measures

- A.** Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:
1. The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
 2. The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.
- B.** The standards in this ordinance apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

140-242.2 Stormwater Management Requirements for Major Development

- A.** The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with Section 140-242.8.
- B.** Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department's Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlbergi* (bog turtle).
- C.** The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section 140-242.2.P, Q and R:
- (1) The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
 - (2) The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
 - (3) The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.
- D.** A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section 140-242.2.O, P, Q and R may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:

- (1) The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
- (2) The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of Section 140-242.2.O, P, Q and R to the maximum extent practicable;
- (3) The applicant demonstrates that, in order to meet the requirements of Section 140-242.2.O, P, Q and R, existing structures currently in use, such as homes and buildings, would need to be condemned; and
- (4) The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under 140-242.2.D.3 above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of Section 140-242.2.O, P, Q and R that were not achievable onsite.

E. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in Section 1401-242.2.O, P, Q and R. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department's website.

F. Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in this ordinance the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.

Table 1 Green Infrastructure BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Cistern	0	Yes	No	
Dry Well ^(a)	0	No	Yes	2
Grass Swale	50 or less	No	No	2 ^(e) 1 ^(f)
Green Roof	0	Yes	No	
Manufactured Treatment Device ^{(a) (g)}	50 or 80	No	No	Dependent upon the device
Pervious Paving System ^(a)	80	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Small-Scale Bioretention Basin ^(a)	80 or 90	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Small-Scale Infiltration Basin ^(a)	80	Yes	Yes	2
Small-Scale Sand Filter	80	Yes	Yes	2
Vegetative Filter Strip	60-80	No	No	--

Table 2 Green Infrastructure BMPs for Stormwater Runoff Quantity (or for Groundwater Recharge and/or Stormwater Runoff Quality with a Waiver or Variance from N.J.A.C. 7:8-5.3)				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Bioretention System	80 or 90	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Infiltration Basin	80	Yes	Yes	2
Sand Filter ^(b)	80	Yes	Yes	2
Standard Constructed Wetland	90	Yes	No	N/A
Wet Pond ^(d)	50-90	Yes	No	N/A

Table 3 BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity only with a Waiver or Variance from N.J.A.C. 7:8-5.3				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Blue Roof	0	Yes	No	N/A
Extended Detention Basin	40-60	Yes	No	1
Manufactured Treatment Device ^(h)	50 or 80	No	No	Dependent upon the device
Sand Filter ^(c)	80	Yes	No	1
Subsurface Gravel Wetland	90	No	No	1
Wet Pond	50-90	Yes	No	N/A

Notes to Tables 1, 2, and 3:

- (a) subject to the applicable contributory drainage area limitation specified at Section 140-242.2.O.2;
- (b) designed to infiltrate into the subsoil;
- (c) designed with underdrains;
- (d) designed to maintain at least a 10-foot wide area of native vegetation along at least 50 percent of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
- (e) designed with a slope of less than two percent;
- (f) designed with a slope of equal to or greater than two percent;
- (g) manufactured treatment devices that meet the definition of green infrastructure at Section 140-241;
- (h) manufactured treatment devices that do not meet the definition of green infrastructure at Section 140-241.

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- G.** An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with Section 140-242.4.B. Alternative stormwater management measures may be used to satisfy the requirements at Section 140-242.2.O only if the measures meet the definition of green infrastructure at Section II. Alternative stormwater management measures that function in a similar manner to a BMP listed at Section O.2 are subject to the contributory drainage area limitation specified at Section O.2 for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at Section O.2 shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section 140-242.2.D is granted from Section 140-242.2.O.
- H.** Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.
- I.** Design standards for stormwater management measures are as follows:
- (1)** Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);
 - (2)** Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure, as appropriate, and shall have parallel bars with one-inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of Section 140-242.6.C;

- (3) Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement;
 - (4) Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at Section 140-242.6; and
 - (5) The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one-half inches in diameter.
- J. Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at Section 140-241 may be used only under the circumstances described at Section 140-242.2.O.4.
- K. Any application for a new agricultural development that meets the definition of major development at Section 140-241 shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at Sections 140-242.2.O, P, Q and R and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this subsection, "agricultural development" means land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacture of agriculturally related products.
- L. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section 140-242.2.P, Q and R shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.
- M. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Office of the Monmouth County Clerk.

A form of deed notice shall be submitted to the municipality for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section 140-242.2.O, P, Q and R and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to Section 140-242.8.B.5. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the

municipality is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the municipality within 180 calendar days of the authorization granted by the municipality.

N. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to Section 140-242.2 of this ordinance and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the *{insert appropriate Office of the County Clerk or the registrar of deeds and mortgages, as applies}* and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with M above.

O. Green Infrastructure Standards

- (1)** This subsection specifies the types of green infrastructure BMPs that may be used to satisfy the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards.
- (2)** To satisfy the groundwater recharge and stormwater runoff quality standards at Section 140-242.2.P and Q, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at Section 140-242.2.F. and/or an alternative stormwater management measure approved in accordance with Section 140-242.2.G. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

Best Management Practice	Maximum Contributory Drainage Area
Dry Well	1 acre
Manufactured Treatment Device	2.5 acres
Pervious Pavement Systems	Area of additional inflow cannot exceed three times the area occupied by the BMP
Small-scale Bioretention Systems	2.5 acres
Small-scale Infiltration Basin	2.5 acres
Small-scale Sand Filter	2.5 acres

- (3) To satisfy the stormwater runoff quantity standards at Section 140-242.2.R, the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with Section 140-242.2.G.
- (4) If a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section IV.D is granted from the requirements of this subsection, then BMPs from Table 1, 2, or 3, and/or an alternative stormwater management measure approved in accordance with Section 140-242.2.G may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section 140-242.2.P, Q and R.

P. Groundwater Recharge Standards

- (1) This subsection contains the minimum design and performance standards for groundwater recharge as follows:
- (2) The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Section 140-242.3, either:
 - i. Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or
 - ii. Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated.
- (3) This groundwater recharge requirement does not apply to projects within the “urban redevelopment area,” or to projects subject to 4 below.
- (4) The following types of stormwater shall not be recharged:
 - (a) Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than “reportable quantities” as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan or landfill closure plan and areas with high risks for

spills of toxic materials, such as gas stations and vehicle maintenance facilities; and

- (b) Industrial stormwater exposed to “source material.” “Source material” means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

Q. Stormwater Runoff Quality Standards

- (1) This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff quality standards are applicable when the major development results in an increase of one-quarter acre or more of regulated motor vehicle surface.
- (2) Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows:
 - (a) Eighty percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from the net increase of motor vehicle surface.
 - (b) If the surface is considered regulated motor vehicle surface because the water quality treatment for an area of motor vehicle surface that is currently receiving water quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant is to be modified or removed, the project shall maintain or increase the existing TSS removal of the anticipated load expressed as an annual average.
- (3) The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollutant Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. Every major development shall comply with 2 above, unless the major development is itself subject to a NJPDES permit with a numeric effluent limitation for TSS or the NJPDES permit to which the major development is subject exempts the development from a numeric effluent limitation for TSS.
- (4) The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 4, below. The calculation of the volume of runoff may take into account the implementation of stormwater management measures.

Table 4 - Water Quality Design Storm Distribution

Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)
1	0.00166	41	0.1728	81	1.0906
2	0.00332	42	0.1796	82	1.0972
3	0.00498	43	0.1864	83	1.1038
4	0.00664	44	0.1932	84	1.1104
5	0.00830	45	0.2000	85	1.1170
6	0.00996	46	0.2117	86	1.1236
7	0.01162	47	0.2233	87	1.1302
8	0.01328	48	0.2350	88	1.1368
9	0.01494	49	0.2466	89	1.1434
10	0.01660	50	0.2583	90	1.1500
11	0.01828	51	0.2783	91	1.1550
12	0.01996	52	0.2983	92	1.1600
13	0.02164	53	0.3183	93	1.1650
14	0.02332	54	0.3383	94	1.1700
15	0.02500	55	0.3583	95	1.1750
16	0.03000	56	0.4116	96	1.1800
17	0.03500	57	0.4650	97	1.1850
18	0.04000	58	0.5183	98	1.1900
19	0.04500	59	0.5717	99	1.1950
20	0.05000	60	0.6250	100	1.2000
21	0.05500	61	0.6783	101	1.2050
22	0.06000	62	0.7317	102	1.2100
23	0.06500	63	0.7850	103	1.2150
24	0.07000	64	0.8384	104	1.2200
25	0.07500	65	0.8917	105	1.2250
26	0.08000	66	0.9117	106	1.2267
27	0.08500	67	0.9317	107	1.2284
28	0.09000	68	0.9517	108	1.2300
29	0.09500	69	0.9717	109	1.2317
30	0.10000	70	0.9917	110	1.2334
31	0.10660	71	1.0034	111	1.2351
32	0.11320	72	1.0150	112	1.2367
33	0.11980	73	1.0267	113	1.2384
34	0.12640	74	1.0383	114	1.2400
35	0.13300	75	1.0500	115	1.2417
36	0.13960	76	1.0568	116	1.2434
37	0.14620	77	1.0636	117	1.2450
38	0.15280	78	1.0704	118	1.2467
39	0.15940	79	1.0772	119	1.2483
40	0.16600	80	1.0840	120	1.2500

- (5) If more than one BMP in series is necessary to achieve the required 80 percent TSS reduction for a site, the applicant shall utilize the following formula to calculate TSS reduction:

$$R = A + B - (A \times B) / 100,$$

Where

R = total TSS Percent Load Removal from application of both BMPs,
and

A = the TSS Percent Removal Rate applicable to the first BMP

B = the TSS Percent Removal Rate applicable to the second BMP.

- (6) Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in Section 140-242.2.P, Q and R.
- (7) In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
- (8) The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1 establish 300-foot riparian zones along Category One waters, as designated in the Surface Water Quality Standards at N.J.A.C. 7:9B, and certain upstream tributaries to Category One waters. A person shall not undertake a major development that is located within or discharges into a 300-foot riparian zone without prior authorization from the Department under N.J.A.C. 7:13.
- (9) Pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-11.2(j)3.i, runoff from the water quality design storm that is discharged within a 300-foot riparian zone shall be treated in accordance with this subsection to reduce the post-construction load of total suspended solids by 95 percent of the anticipated load from the developed site, expressed as an annual average.
- (10) This stormwater runoff quality standards do not apply to the construction of one individual single-family dwelling, provided that it is not part of a larger development or subdivision that has received preliminary or final site plan approval prior to December 3, 2018, and that the motor vehicle surfaces are made of permeable material(s) such as gravel, dirt, and/or shells.

R. Stormwater Runoff Quantity Standards

- (1) This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
- (2) In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Section 140-242.3, complete one of the following:
- (a) Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the 2-, 10-, and 100-year storm events do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;

- (b) Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the 2-, 10- and 100-year storm events and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;
 - (c) Design stormwater management measures so that the post-construction peak runoff rates for the 2-, 10- and 100-year storm events are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or
 - (d) In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with 2.i, ii and iii above is required unless the design engineer demonstrates through hydrologic and hydraulic analysis that the increased volume, change in timing, or increased rate of the stormwater runoff, or any combination of the three will not result in additional flood damage below the point of discharge of the major development. No analysis is required if the stormwater is discharged directly into any ocean, bay, inlet, or the reach of any watercourse between its confluence with an ocean, bay, or inlet and downstream of the first water control structure.
- (3) The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.

140-242.3 Calculation of Stormwater Runoff and Groundwater Recharge:

A. Stormwater runoff shall be calculated in accordance with the following:

- (1) The design engineer shall calculate runoff using one of the following methods:
 - (a) The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 Part 630, Hydrology National Engineering Handbook, incorporated herein by reference as amended and supplemented. This methodology is additionally described in *Technical Release 55 - Urban Hydrology for Small Watersheds* (TR-55), dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service or at United States Department of Agriculture Natural Resources Conservation Service, 220 Davison Avenue, Somerset, New Jersey 08873; or
 - (b) The Rational Method for peak flow and the Modified Rational Method for hydrograph computations. The rational and modified rational methods are described in "Appendix A-9 Modified Rational Method" in the Standards for Soil Erosion and Sediment Control in New Jersey, January 2014. This document is available from the State Soil Conservation Committee or any of the Soil Conservation Districts listed at N.J.A.C. 2:90-1.3(a)3. The location, address, and telephone

number for each Soil Conservation District is available from the State Soil Conservation Committee, PO Box 330, Trenton, New Jersey 08625.

- (2) For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term “runoff coefficient” applies to both the NRCS methodology above at Section 140-242.3.A.1.i and the Rational and Modified Rational Methods at Section 140-242.3.A.1.ii. A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover have existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
- (3) In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.
- (4) In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS *Technical Release 55 – Urban Hydrology for Small Watersheds* or other methods may be employed.
- (5) If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

B. Groundwater recharge may be calculated in accordance with the following:

The New Jersey Geological Survey Report GSR-32, A Method for Evaluating Groundwater-Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at the New Jersey Geological Survey website

or at New Jersey Geological and Water Survey

140-242.4 Sources for Technical Guidance:

- A.** Technical guidance for stormwater management measures can be found in the documents listed below, which are available to from the Department’s website

1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.
2. Additional maintenance guidance is available from the Department.

B. Submissions required for review by the Department should be mailed to:

The Division of Water Quality, New Jersey Department of Environmental Protection, Mail Code 401-02B, PO Box 420, Trenton, New Jersey 08625-0420.

140-242.5 Solids and Floatable Materials Control Standards:

A. Site design features identified under Section 140-242.2.F above, or alternative designs in accordance with Section 140-242.2.G above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, “solid and floatable materials” means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section 140-242.5.A.2 below.

(1) Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

(a) The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines;
or

(b) A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater system floors used to collect stormwater from the surface into a storm drain or surface water body.

(c) For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

(2) The standard in A.1. above does not apply:

(a) Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;

- (b) Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practically be overcome by using additional or larger storm drain inlets;
- (c) Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:

- [1] A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or

- [2] A bar screen having a bar spacing of 0.5 inches.

Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).

- (d) Where flows are conveyed through a trash rack that has parallel bars with one-inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or

- (e) Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

140-242.6 Safety Standards for Stormwater Management Basins:

A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management BMPs. This section applies to any new stormwater management BMP.

B. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management BMPs. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management BMPs to be retrofitted to meet one or more of the safety standards in Section 140-242.6.C.1, 140-242.6.C.2, and 140.242.6C.3 for trash racks, overflow grates, and escape provisions at outlet structures.

C. Requirements for Trash Racks, Overflow Grates and Escape Provisions

(1) A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the Stormwater management BMP to ensure proper functioning of the BMP outlets in accordance with the following:

- (a)** The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars;

- (b)** The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;

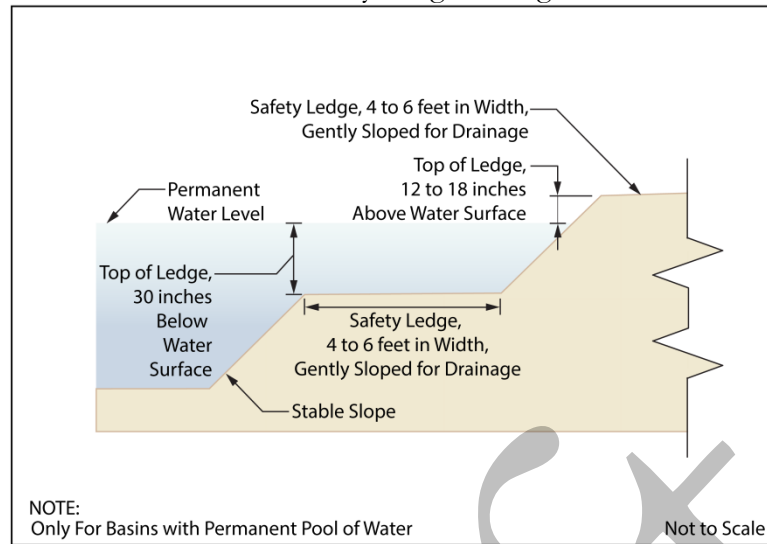
- (c) The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack; and
 - (d) The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of 300 pounds per square foot.
- (2) An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
 - (a) The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
 - (b) The overflow grate spacing shall be no less than two inches across the smallest dimension
 - (c) The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
- (3) Stormwater management BMPs shall include escape provisions as follows:
 - (a) If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the municipality pursuant to VIII.C, a free-standing outlet structure may be exempted from this requirement;
 - (b) Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See VIII.E for an illustration of safety ledges in a stormwater management BMP; and
 - (c) In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.

D. Variance or Exemption from Safety Standard

A variance or exemption from the safety standards for stormwater management BMPs may be granted only upon a written finding by the municipality that the variance or exemption will not constitute a threat to public safety.

E. Safety Ledge Illustration

Elevation View –Basin Safety Ledge Configuration



140-242.7 Requirements for a Site Development Stormwater Plan:

A. Submission of Site Development Stormwater Plan

- (1) Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at Section 140-242.7.C below as part of the submission of the application for approval.
- (2) The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
- (3) The applicant shall submit the required number of copies of the materials listed in the checklist for approval in accordance with Section 140-242.7.C of this ordinance.

B. Site Development Stormwater Plan Approval

The applicant's Site Development project shall be reviewed as a part of the review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the municipality's review engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.

C. Submission of Site Development Stormwater Plan

The following information shall be required:

(1) Topographic Base Map

The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the

limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

(2) Environmental Site Analysis

A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.

(3) Project Description and Site Plans

A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.

(4) Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of Sections 140-242.1 through 140-242.3 are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

(5) Stormwater Management Facilities Map

The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

- (a)** Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
- (b)** Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.

(6) Calculations

- (a) Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Section 140-242.2 of this ordinance.
- (b) When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.

(7) Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of Section 140-242.8.

(8) Waiver from Submission Requirements

The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review engineer, waive submission of any of the requirements in Section 140-242.7.C.1 through 140.242.7C.6 of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

140-242.8 Maintenance and Repair:

A. Applicability

Projects subject to review as in Section 140-240.C of this ordinance shall comply with the requirements of Section 140-242.8.B and 140.242.8C.

B. General Maintenance

- (1) The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.
- (2) The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). The plan shall contain information on BMP location, design, ownership, maintenance tasks and frequencies, and other details as specified in Chapter 8 of the NJ BMP Manual, as well as the tasks specific to the type of BMP, as described in the applicable chapter containing design specifics.
- (3) If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater

management facility to such person under an applicable ordinance or regulation.

- (4) Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.
- (5) If the party responsible for maintenance identified under Section 140-242.8.B.3 above is not a public agency, the maintenance plan and any future revisions based on Section 140-242.8.B.7 below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
- (6) Preventative and corrective maintenance shall be performed to maintain the functional parameters (storage volume, infiltration rates, inflow/outflow capacity, etc.) of the stormwater management measure, including, but not limited to, repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.
- (7) The party responsible for maintenance identified under Section 140-242.8.B.3 above shall perform all of the following requirements:

 - (a) maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;
 - (b) evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and
 - (c) retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Section 140-242.8.B.6 and B.7 above.
- (8) The requirements of Section 140-242.8.B.3 and B.4 do not apply to stormwater management facilities that are the responsibility of the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.
- (9) In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately

proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.

- C. Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53

140-242.9 Penalties:

- A. Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this ordinance shall be subject to the penalties outlined in Chapter 1, Article I, of the Code of the Township of Wall.

140-242.10 Severability:

- A. Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

140-243 Stormwater Details.

- A. For stormwater details, see schedule IV

140-244 Effective Date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as required by law.

Introduced: January 27, 2021

Adopted: _____, 2021

Attest: _____

Roberta Lang, RMC
Township Clerk

Approve: _____

Timothy J. Farrell
Mayor

SUMMARY AND NOTICE

TOWNSHIP OF WALL

ORDINANCE NO. 1-2021

**ORDINANCE OF THE TOWNSHIP OF WALL DELETING CHAPTER 140
ARTICLE XXXIII AND CREATING A NEW CHAPTER 140 ARTICLE XXXIII
“STORMWATER MANAGEMENT”**

PLEASE TAKE NOTICE, that on Wednesday, **January 27, 2021**, the Township Committee of the Township of Wall, Monmouth County, New Jersey will hold a virtual public hearing at 7:00 p.m., to obtain comments on **Ordinance No. 1-2021**.

This meeting will be conducted by electronic means in accordance with the "Senator Byron M. Baer Open Public Meetings Act" of 2020, which explicitly permits a public body to conduct a meeting electronically during a state of emergency. Governor Murphy issued Executive Orders 103 and 107 declaring a "Public Health Emergency and State of Emergency" and directing residents to quarantine and practice social distancing.

Adoption of this ordinance will **delete Chapter 140 Article XXXIII and create a new Chapter 140 Article XXXIII “Stormwater Management”**

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on **January 27, 2021** will further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on **February 24, 2021** at 7:00 p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in the Township of Wall, Town Hall, to the members of the general public who shall request the same or may be viewed on our website at www.wallnj.com

Members of the Public are welcome to, and encouraged to, observe and participate in the Remote Meeting.

**VIRTUAL MEETING ACCESS AND PARTICIPATION INSTRUCTIONS -
ACCESS CAN BE ACHIEVED BY COMPUTER, SMART DEVICE, OR PHONE**

Join Zoom Meeting

<http://wallnj.com/zoom/tc>

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+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 824 5089 2867

Meeting Guidelines and Participation Rules

- a) We encourage you to join the meeting prior to its start time.
- b) You will join muted and will remain muted until you are acknowledged during the Public Comment portion of the meeting. The meeting organizer will request that the participant unmutes their microphone when it is their turn to comment.
- c) To participate in the Public Comment portions of the meeting you must “raise” your hand to be recognized. The “raise hand” feature is located in the participant list section of the Zoom app. If you are calling in by telephone using the dial in features, you must press *9 to raise your hand. In addition, you must dial *6 to unmute yourself when prompted to do so.
- d) You may also submit written comments to the Township Committee through the Township Clerk, by e-mailing publiccomment@townshipofwall.com or by written letter to the Township Clerk by 9:00am the day of the meeting.
- e) To participate in public comment, you must state your Name and Address for the record.
- f) Please note Public Comments are limited to seven (7) minutes.

****Please Note**** In order maintain necessary decorum, violators of the above rules will be disconnected from the meeting.

TOWNSHIP OF WALL

ORDINANCE NO. 2-2021

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 215-33
SCHEDULE I OF THE TOWNSHIP CODE ESTABLISHING NO PARKING IN
THE TOWNSHIP**

WHEREAS, the Township of Wall, through adoption of Wall Municipal Code Chapter 215-33 Schedule I has established No Parking in accordance with the provisions of Chapter 215-5; and,

WHEREAS, the Township Committee of Wall wishes to amend Chapter 213-33 Schedule I of the Wall Township Municipal Code to establish additional No Parking; and,

WHEREAS, all additions are shown in ***bold italics with underlines***. The deletions are shown as ~~***strikeovers in bold italics***~~. Sections of Chapter 213-33 Schedule I that will remain unchanged are shown in normal type.

NOW, THEREFORE, BE IT ORDAINED, by the governing body of the Township of Wall as follows:

SECTION ONE. Chapter 215-33, Schedule I: No Parking, be amended, and shall read as set forth in Appendix “A”, to include the establishment of an additional No Parking as follows:

NAME OF STREET	SIDE	LOCATION
Walling Avenue	Both	From Route 71 100 feet east of Route 71

SECTION TWO. This Ordinance shall hereby become effective upon final passage and publication as provided by law; and

SECTION THREE. REPEALER. All Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency. The Township Clerk is authorized to renumber and/or re-codify any sections affected by such repeal to the extent consistent with this Ordinance.

SECTION FOUR. SEVERABILITY. If any word, phrase, clause, section or provision of this Ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional such word, phrase, clause, section or provision shall be severable from the balance of the Ordinance and the remainder of the Ordinance shall remain in full force and effect.

SECTION FIVE. EFFECTIVE DATE. This Ordinance shall take effect upon publication thereof after final passage according to law.

APPENDIX A

§ 215-33 **Schedule I: No Parking.**

In accordance with the provisions of § 215-5, no person shall park a vehicle at any time upon any of the following described streets or parts of streets:

Name of Street	Sides	Location
Allaire Road	Both	From Route 34 to Allenwood Road
Baileys Corner Road [Added 6-22-2016 by Ord. No. 6-2016]	Both	From Allaire Road to Eighteenth Avenue
Bass Point Road [Added 4-24-2013 by Ord. No. 9-2013]	North	Entire length
Belmar Boulevard	Both	From Route No. 35 to 630 feet west of Route No. 35
Bowman Avenue	West from State Highway No. 33	Entire length
Carmerville Road	Cul-de-sac	Southerly end of Carmerville Road
Conover Place [Added 4-24-2013 by Ord. No. 9-2013]	South	Entire length
Eighth Avenue	West	From Sea Girt Avenue to Route No. 71
Elm Street	Both	Entire length
Fifth Avenue	South	From Route 71 to Meadow Road
Fourth Avenue	South	From its eastern end to Cottage Place
Gully Road	Both	From Remsen's Mill Road to Township of Wall - Township of Neptune Corporate Line
Kelly Lane	West from State Highway No. 33	From Highway No. 33, the entire length of Kelly Lane
Marconi Road	Both	From Brighton Avenue to County Bridge No. W55.
Mott Lane [Added 4-24-2013 by Ord. No. 9-2013]	Both	Entire length
M Street [Added 9-9-2009 by Ord. No. 23-2009]	Cul-de-sac	Southerly end of M Street
New Bedford Road	Both	18th Avenue to New Jersey Route No. 38
New Bedford Road	Both	Allaire Road to State Highway No. 35
New Bedford Road [Added 6-22-2016 by Ord. No. 6-2016]	East	From Ocean Road to Route 35
Old Bridge Road	West	Between Route 70 and the dead end of Old Bridge Road at the Manasquan River
Old Mill Road	Both	Between Route 35 and the Spring Lake Heights boundary line

Name of Street	Sides	Location
Old Mill Road	East	From the Spring Lake Heights boundary to West Chicago Boulevard
Paynters Road	Both	From the intersection of Lakewood Road and running in a northerly direction on Paynters Road to a point opposite utility pole No. BT-6354-WL.
People Street	West	From 18th Avenue to end of People Street
Rivercrest Lane [Added 4-24-2013 by Ord. No. 9-2013]	Both	Entire length
Schoolhouse Road [Added 6-22-2016 by Ord. No. 6-2016]	Both	From Belmar Boulevard to Neptune Border
Schoolhouse Road	Both	From Garden State Parkway Bridge to Shark River Bridge
Sea Girt Avenue	North	From Eighth Avenue to 300 feet west of Eighth Avenue
Second Avenue	South	From Route 71 to People Street
Sixth Avenue	South	From Camp Meeting Street to Cottage Place
State Highway No. 34	Both	Entire length, including ramps
Third Avenue	South	From Route 71 to People Street
<u>Walling Avenue</u>	<u>Both</u>	<u>From Route 71 100 feet east of Route 71</u>
Warren Avenue	Both	Between Route 35 east to the Spring Lake Heights boundary line on Warren Avenue
West Hurley Pond Road	Both	From Route 34, west to the Township Boundary

Introduced: January 27, 2021

Adopted: _____, 2021

Attest: _____
 Roberta Lang, RMC
 Township Clerk

Approve: _____
 Timothy J. Farrell
 Mayor

SUMMARY AND NOTICE

TOWNSHIP OF WALL

ORDINANCE NO. 2-2021

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 215-33
SCHEDULE I OF THE TOWNSHIP CODE ESTABLISHING NO PARKING IN
THE TOWNSHIP”**

PLEASE TAKE NOTICE, that on Wednesday, **January 27, 2021**, the Township Committee of the Township of Wall, Monmouth County, New Jersey will hold a virtual public hearing at 7:00 p.m., to obtain comments on **Ordinance No. 2-2021**.

This meeting will be conducted by electronic means in accordance with the "Senator Byron M. Baer Open Public Meetings Act" of 2020, which explicitly permits a public body to conduct a meeting electronically during a state of emergency. Governor Murphy issued Executive Orders 103 and 107 declaring a "Public Health Emergency and State of Emergency" and directing residents to quarantine and practice social distancing.

Adoption of this ordinance will **amend and supplement Chapter 215-33 Schedule I of The Township Code Establishing No Parking In The Township”**

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on **January 27, 2021** will further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on **February 24, 2021** at 7:00 p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in the Township of Wall, Town Hall, to the members of the general public who shall request the same or may be viewed on our website at www.wallnj.com

Members of the Public are welcome to, and encouraged to, observe and participate in the Remote Meeting.

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- d) You may also submit written comments to the Township Committee through the Township Clerk, by e-mailing publiccomment@townshipofwall.com or by written letter to the Township Clerk by 9:00am the day of the meeting.
- e) To participate in public comment, you must state your Name and Address for the record.
- f) Please note Public Comments are limited to seven (7) minutes.

****Please Note**** In order maintain necessary decorum, violators of the above rules will be disconnected from the meeting.

TOWNSHIP OF WALL

ORDINANCE NO. 3-2021

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL TO AMEND THE ZONING MAP TO REZONE PORTIONS OF BLOCK 942 LOT 132 FROM OR-10 TO AH4

WHEREAS, the Township of Wall recognizes its constitutional responsibility to provide for the development of affordable housing pursuant to the New Jersey Supreme Court’s Mount Laurel decisions; and,

WHEREAS, in an effort to retain its immunity from builder development lawsuits and retain control over affordable housing development, the Township of Wall has recognized its current need to facilitate responsible development; and,

WHEREAS, the Township of Wall expects that in the next several months it will be ordered by the court to provide for a substantial number of affordable units to satisfy Wall Township’s third round Mount Laurel obligation; and,

WHEREAS, the Township Committee on December 11, 2011, adopted an official Zoning Map of the Township; and

WHEREAS, the Township Committee on September 23, 2020, adopted Ordinance No. 8-2020 creating the affordable housing AH4-Dunroamin Road Zone and Amending the Zoning Map to rezone portions of Block 942, Lots 79 and 132 from OR-10 to the Affordable Housing AH4-Dunroamin Road Zone.

WHEREAS, it has been recognized that a small portion of Lot 132, with frontage along the Dunroamin Road existing right-of-way, should be included within the proposed AH4 Zone for the purpose of facilitating the location of the primary roadway access for the development in that zone; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wall that the Wall Township Zone Map be amended as follows:

Section 1. Zone Map. The Official Zoning Map of the Township of Wall dated July 14, 2011, be and the same is hereby amended to change the zoning designation of the following Block and Lot as indicated:

Block	Lots	July 14, 2011 Zoning Map	New Zoning Designation
942	132 (portions)*	OR-10	AH4 **
(Located at 4151 Dunroamin Road)			
*As illustrated on the attached map.			
**If permitted by the Developer’s Agreement.			

Section 3. All ordinances, or parts thereof, inconsistent with the provisions of this ordinance be and the same are hereby repealed to the extent of such inconsistency.

Section 4. Should any section, paragraph, clause of other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgement shall not affect or impair the remainder of this Ordinance.

Section 5. This Ordinance shall effect upon its passage and publication according to law, and upon filing of a certified copy thereof with the Monmouth County Planning Board.

Introduced: January 27, 2021

Adopted: _____, 2021

Attest: _____
Roberta Lang, RMC
Township Clerk

Approve: _____
Timothy J. Farrell
Mayor

Draft

SUMMARY AND NOTICE

TOWNSHIP OF WALL

ORDINANCE NO. 3-2021

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL TO AMEND THE ZONING MAP TO REZONE PORTIONS OF BLOCK 942 LOT 132 FROM OR-10 TO AH4

PLEASE TAKE NOTICE, that on Wednesday, **January 27, 2021** the Township Committee of the Township of Wall, Monmouth County, New Jersey will hold a virtual public hearing at 7:00 p.m., to obtain comments on **February 24, 2021**.

This meeting will be conducted by electronic means in accordance with the "Senator Byron M. Baer Open Public Meetings Act" of 2020, which explicitly permits a public body to conduct a meeting electronically during a state of emergency. Governor Murphy issued Executive Orders 103 and 107 declaring a "Public Health Emergency and State of Emergency" and directing residents to quarantine and practice social distancing.

Adoption of this ordinance will **amend the zoning map to rezone the following properties into the AH4 Zone:**

Block	Lots	July 14, 2011 Zoning Map	New Zoning Designation
942	132 (portions)*	OR-10	AH4 **
(Located at 4151 Dunroamin Road)			
*As illustrated on the attached map.			
**If permitted by the Developer's Agreement.			

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on January 27, 2021 and will further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on February 24, 2021 at 7:00 p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in the Township of Wall, Town Hall, to the members of the general public who shall request the same or may be viewed on our website at www.wallnj.com

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- b) You will join muted and will remain muted until you are acknowledged during the Public Comment portion of the meeting. The meeting organizer will request that the participant unmutes their microphone when it is their turn to comment.
- c) To participate in the Public Comment portions of the meeting you must “raise” your hand to be recognized. The “raise hand” feature is located in the participant list section of the Zoom app. If you are calling in by telephone using the dial in features, you must press *9 to raise your hand. In addition, you must dial *6 to unmute yourself when prompted to do so.
- d) You may also submit written comments to the Township Committee through the Township Clerk, by e-mailing publiccomment@townshipofwall.com or by written letter to the Township Clerk by 9:00am the day of the meeting.
- e) To participate in public comment, you must state your Name and Address for the record.
- f) Please note Public Comments are limited to seven (7) minutes.

****Please Note**** In order maintain necessary decorum, violators of the above rules will be disconnected from the meeting.

TOWNSHIP OF WALL

RESOLUTION NO. 21-0142

**CERTIFICATION OF TOWNSHIP FUNDS
JANUARY 14, 2021 THROUGH JANUARY 27, 2021 IN THE AMOUNT OF
\$3,409,412.77**

We, the undersigned members of the Township Committee of the Township of Wall have reviewed the information provided by the Township Administrator and rely on his recommendation that the attached vouchers are in proper order and may be executed for payment. This authorization for execution does not extend to any voucher that would constitute a conflict of interest for any of the undersigned Committee members.

Timothy J. Farrell, Mayor

Daniel Becht, Deputy Mayor

Kevin P. Orender, Committeeman

Thomas M. Kingman, Committeeman

Erin M. Mangan, Committeewoman

TOWNSHIP OF WALL

RESOLUTION NO. 21-0143

AUTHORIZATION TO EXECUTE A CONTRACT WITH PAYARGO, INC. IN CONNECTION WITH PROCESSING ON-LINE BANKING PAYMENTS FOR THE SET UP FOR THE MAY 2021 QUARTER AND TO CONTINUE TO DECEMBER 31, 2022

BE IT RESOLVED by the Township Committee of the Township of Wall, County of Monmouth and the State of New Jersey as follows:

- 1. It hereby authorizes the Township Administer to execute an Agreement with Payargo, INC., in connection with on-line banking payments. A copy of the Agreement is attached to this resolution as Schedule "A" and made a part hereof.
2. Funds for this agreement for the service with Payargo, Inc. for 2021 in the estimated amounts are as follows:

Table with 3 columns: Category, Utility payments, Tax Payments. Rows include: One Time set up fee (\$497.50), Estimated # of Checks Processed (750/Quarter), Estimated Yearly Check Total (3000 { x 0.15}), Estimated Yearly Cost (\$450.00), and a note: **Funds to come from respective Budgets

- 3. A year end analysis to be done to receive an actual count of the checks received for each account to more accurately plan the subsequent year's budget.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wall as follows:

- 1. The Township Committee hereby concurs with the recommendations of Kammie Verdolina, Tax and Utility Collector, to authorize the agreement with Payargo, Inc. to process the on-line banking payments for the Tax and the Utility Departments.
2. The Mayor, Municipal Clerk and any other applicable Township officers or employees are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the terms of this resolution.

I, Roberta M. Lang, Township Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a Regular Meeting held on January 27, 2021.

Roberta M. Lang, RMC
Township Clerk

Certification of Funds

I, Thomas O'Hara, Chief Financial Officer of the Township of Wall, do hereby certify to the Township Committee of the Township of Wall that funds are available for an agreement with Payargo, Inc. to process the on-line banking payments for the Tax and the Utility Departments

Operating		
Account	Description	Amount
1-01-20-145-000-121	Revenue Administration – Other Expenses	\$722.50
1-09-54-502-000-537	Water/Sewer Utility – Other Expenses	\$947.50

Date:

Thomas O'Hara, CFO
Chief Financial Officer

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 21-0144

AUTHORIZATION TO EXECUTE A CONTRACT WITH MOTOROLA FOR THE PURCHASE OF NJICS 700 MHZ SYSTEM THROUGH THE STATE CONTRACT AT A PRICE NOT TO EXCEED \$1,552,265.10

WHEREAS, the Township Committee is desirous of purchasing a NJICS 700 MHz System from Motorola Solutions, Inc through State Contract; and

WHEREAS, the NJICS 700 MHz System being purchased is through State Contract from Motorola Solutions, Inc at a price not to exceed \$1,552,265.10 (one million five hundred fifty-two thousand two hundred sixty-five dollars and ten cents); and

WHEREAS, Kenneth Brown, Jr., Chief of Police, recommends that the Township Committee purchase the NJICS 700 MHz System through State Contract; and

WHEREAS, the Township Administrator concurs with the recommendation to purchase the NJICS 700 MHz System through the State Contract at a price not to exceed \$1,552,265.10 (one million five hundred fifty-two thousand two hundred sixty-five dollars and ten cents); and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wall as follows:

1. The Township Committee hereby concurs with the recommendations of Kenneth Brown, Jr., Chief of Police, to authorize the purchase of the following: NJICS 700 MHz System through the State Contract from Motorola Solutions, Inc at a price not to exceed \$1,552,265.10 (one million five hundred fifty-two thousand two hundred sixty-five dollars and ten cents).
2. This resolution is subject to the filing of a certification from the CFO as to the availability of funds per N.J.A.C.5:30-5.3 (a).
3. The Mayor, Municipal Clerk and any other applicable Township officers or employees are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the terms of this resolution.

I, Roberta M. Lang, Township Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a Regular Meeting held on January 27, 2021.

Roberta M. Lang, RMC
Township Clerk

Certification of Funds

I, Thomas O'Hara, Chief Financial Officer of the Township of Wall, do hereby certify to the Township Committee of the Township of Wall that funds are available for the purchase : NJICS 700 MHz System through the State Contract from Motorola at a price not to exceed at a price not to exceed \$1,552,265.10 (one million five hundred fifty-two thousand two hundred sixty-five dollars and ten cents)

Operating		
Account	Description	Amount
C-04-20-000-003-003	Ordinance #11-2020	\$1,264,000.00
C-04-17-007-006-007	Ordinance #7-2017	\$38,725.80
C-04-17-007-006-008	Ordinance #7-2017	\$21,842.87
C-04-18-000-003-001	Ordinance #9-2018	\$3,413.81
C-04-18-000-003-002	Ordinance #9-2018	\$214,880.00
1-01-26-291-000-299	DPW – Special Projects	\$9,402.62

Thomas O'Hara, CFO
Chief Financial Officer

Date:

TOWNSHIP OF WALL

RESOLUTION NO. 21-0145

AUTHORIZATION TO EXECUTE CHANGE ORDER NUMBER ONE WHICH DECREASES THE CONTRACT IN THE AMOUNT OF \$19,376.92 WITH EARLE ASPHALT COMPANY FOR IMPROVEMENTS TO BRIGHTON AVENUE

WHEREAS, the Township of Wall and Earle Asphalt Company are parties to a contract for the improvements to Brighton Avenue located within the Township of Wall in an original amount of \$295,713.13 (two hundred ninety-five thousand seven hundred thirteen dollars and thirteen cents); and

WHEREAS, Earle Asphalt Company submitted Change Order No. 1 - in the amount of decrease \$19,376.92 (nineteen thousand three hundred seventy-six dollars and ninety-two cents) which adjusts the contract amount to reflect as-built quantities, making the total contract price \$276,336.21 (two hundred seventy-six thousand three hundred thirty-six dollars and twenty-one cents) after Change Order No. 1 is executed; and

WHEREAS, the Township's Engineer, Matthew Zahorsky has reviewed the project and Change Order No. 1 and recommends that the Township execute Change Order No. 1 in an amount of decrease \$19,376.92 (nineteen thousand three hundred seventy-six dollars and ninety-two cents); and

WHEREAS, the total new contract price shall be \$276,336.21 (two hundred seventy-six thousand three hundred thirty-six dollars and twenty-one cents) after Change Order No. 1 has been accepted and executed by the Township; and

WHEREAS, the certification of the Township Chief Financial Officer is attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Wall, County of Monmouth, New Jersey that Change Order No. 1 - in an amount of decrease \$19,376.92 (nineteen thousand three hundred seventy-six dollars and ninety-two cents) for the contract between the Township of Wall and Earle Asphalt Company be executed thereby decreasing the new total contract price for the project to \$276,336.21 (two hundred seventy-six thousand three hundred thirty-six dollars and twenty-one cents).

BE IT FURTHER RESOLVED that all Township officials including, but not limited to, the Mayor, Township Administrator, Township Director of Engineering and Planning, and the Municipal Clerk, are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.

I, Roberta M. Lang, Municipal Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a Regular Meeting held on January 27, 2021.

Roberta M. Lang, RMC
Municipal Clerk

TOWNSHIP OF WALL

RESOLUTION NO. 21-0146

**AUTHORIZATION TO EXECUTE CONTRACT WITH SOLITUDE LAKE
MANAGEMENT TO PERFORM AQUATIC PLANT MANAGEMENT AT A PRICE
NOT TO EXCEED \$6,196.00 AT OSBORNE'S MILLS POND**

WHEREAS, the Township of Wall understands the importance of safeguarding, preserving and maintaining the natural environment so that residents and future generations may enjoy the benefits of the Township's precious natural resources; and,

WHEREAS, the Township is the owner of Osborne's Mills Pond which serves as an ecological, aesthetic and recreational site to the residents of the Township; and,

WHEREAS, the Township is aware that the condition of the pond has deteriorated given that sediment has accumulated, and nuisance and invasive aquatic plant and algae growth have negatively impacted the pond; and,

WHEREAS, the Township desires to invest in the pond in an effort to improve the ecological, aesthetic and recreational characteristics of the pond; and,

WHEREAS, the Township desires to contract with Solitude Lake Management to perform aquatic plant management; and

WHEREAS, the Township's Engineer has evaluated the proposal submitted by Solitude Lake Management and is of the opinion that this proposal will be advantageous to the Township; and,

WHEREAS, the Township desires to contract with Aquatic Plant Management for services in the amount of \$6,196.00 (six thousand one hundred ninety-six dollars and zero cents); and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Wall, County of Monmouth, New Jersey that the Township is authorized to contract with Solitude Lake Management for aquatic plant management at a price not to exceed \$6,196.00;

BE IT FURTHER RESOLVED, that all Township officials including, but not limited to the Mayor, the Township Administrator and the Municipal Clerk, are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.

I, Roberta Lang, Municipal Clerk of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Council of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on January 27, 2021

Roberta M. Lang, RMC
Municipal Clerk

Certification of Funds

I, Thomas O'Hara, Chief Financial Officer of the Township of Wall, do hereby certify to the Township Committee of the Township of Wall that funds are available to perform aquatic plant management and to perform a pond study and action plan at Osborne's Mills Pond in the amount of \$6,196.00

Operating		
Account	Description	Amount
1-01-20-165-000-299	Engineering-Other Expenses	\$6,196.00

Thomas O'Hara, CFO
Chief Financial Officer

Date: _____

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 21-0147

AUTHORIZATION TO APPOINT AN ALTERNATE MUNICIPAL PROSECUTORS FOR THE WALL TOWNSHIP MUNICIPAL COURT

WHEREAS, the Township of Wall Mayor and Committee recognize the importance of maintaining an adequate staff to operate the Wall Township Municipal Court; and,

WHEREAS, Wall Township's current Municipal Prosecutor is charged with undertaking the regular duties required of a municipal prosecutor; and,

WHEREAS, the Wall Township Mayor and Township Committee desire to appoint Paul Granick, Esq., of the Law Office of Paul Granick, James Pastor, Esq., of the Law Offices of Pastor & Pastor, LLC, and James Carton Esq., of the Carton Law Firm, LLC, as Alternate Municipal Prosecutors for the period January 27, 2021 through December 31, 2021; and,

WHEREAS, the above appointment of an Alternate Municipal Prosecutors will not increase the Township's obligation to pay for legal services associated with the office of the Municipal Prosecutor; and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Wall, County of Monmouth, New Jersey that the Township is authorized to appoint Paul Granick, Esq., James Pastor, Esq., and James Carton, Esq., who shall serve as Alternate Municipal Prosecutors; and,

BE IT FURTHER RESOLVED, that all Township officials including, but not limited to the Mayor and Committee, the Township Administrator, the Township Attorney and the Municipal Clerk, are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.

I, Roberta Lang, Municipal Clerk of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Council of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on January 27, 2021.

Roberta Lang, RMC
Municipal Clerk

TOWNSHIP OF WALL

RESOLUTION NO. 21-0148

AUTHORIZATION TO APPROVE TOWNSHIP REFUND(S)

WHEREAS, the appropriate Department Head(s) has notified the Chief Financial Officer that certain refunds are appropriate; and,

WHEREAS, the Chief Financial Officer, has reviewed the circumstances surrounding these refunds and has recommended to the Township Committee that the appropriate Township officials be authorized to issue said refunds.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wall that the appropriate Township officials be and are hereby authorized to issue the refunds in accordance with the memorandum from the respective Department Head(s) to the Chief Financial Officer.

TAX					
NAME	ADDRESS	BLOCK	LOT	AMOUNT	REASON
Suzanne Jost 2119 Xanadu	1623 Marconi Rd	113	12.01	\$653.71	Overpayment. -sold
Purandharnath & Indira Bollampally	2109 Shadow Brook Dr	793	19	\$1,181.00 (2016) \$2,244.39 (2017) \$4,221.42 (2018) \$5,233.07 (2019) Total: \$ 12,879.88	Appeal Credits

I, Roberta M. Lang, Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a Regular Meeting held on January 27, 2021

Roberta M. Lang, RMC
Township Clerk

TOWNSHIP OF WALL

RESOLUTION NO. 21-0149

AUTHORIZATION TO APPROVE TAX EXEMPTION(S) FROM ALL TAXES AS A DISABLED VETERAN

WHEREAS, the Tax Collector sent a memorandum to the Township Committee of the Township of Wall in relation to a tax credit due to the below referenced disabled veteran; and

WHEREAS, the Tax Collector is precluded from collecting 2020 taxes from the individual referenced below, as he/she is a Disabled Veteran(s), as per N.J.S.A. 54:4-3.30a, and exempt from all taxes as of the effective date of the statute; and

WHEREAS, pursuant to N.J.S.A. 54:4-3.32, the Township Committee may, by resolution, refund taxes collected on property that qualifies for tax exemption under N.J.S.A. 54:4-3.30a; and

WHEREAS, 2020 taxes based on the assessment listed on the 2020 tax roll are to be cancelled and any monies showing a credit should be immediately refunded to the property owner referenced below; and

WHEREAS, the Township Administrator has reviewed the circumstances surrounding this exemption and refund and has recommended to the Township Committee that the appropriate Township officials be authorized to acknowledge said exemption and to refund any tax payment made by the individual referenced below.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wall that the appropriate Township officials be and are hereby authorized to acknowledge the refund in accordance with the aforesaid memorandum submitted by the Tax Collector to the Township Administrator.

<u>NAME</u>	<u>ADDRESS</u>	<u>BLOCK</u>	<u>LOT</u>	<u>EFFECTIVE DATE</u>	<u>CREDIT/REFUND AMOUNT</u>	<u>REASON</u>
Daniel T. Flynn	2122 Xanadu Ln	80	12.2122	10/8/2020	Credit: \$1,511.00 Refund: \$1,511.00	Totally Disabled Vet
Eugene Wray	809 Walling Ave	4	29	12/22/2020	Credit: \$156.00 Refund: \$0	Totally Disabled Vet

I, Roberta Lang, Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a Regular Meeting held on January 27, 2021.

Roberta M. Lang, RMC
Township Clerk

TOWNSHIP OF WALL

RESOLUTION NO. 21-0150

AUTHORIZATION TO EXECUTE A CONTRACT WITH CUSTOM CONCRETE FOR THE FOOTBALL STORAGE ROOM BUILDING FLOOR THROUGH THE STATE CONTRACT AT A PRICE NOT TO EXCEED \$25,050.00

WHEREAS, the Township Committee is desirous of flooring for the Football Storage building from Custom Concrete through State Contract; and

WHEREAS, the flooring being purchased is through State Contract from Custom Concrete at a price not to exceed \$25,050.00 (twenty-five- thousand fifty dollars and zero cents); and

WHEREAS, Joseph Lentini, Superintendent of Public Works, recommends that the Township Committee purchase the flooring through State Contract; and

WHEREAS, the Township Administrator concurs with the recommendation to purchase the flooring through the State Contract at a price not to exceed \$25,050.00 (twenty-five- thousand fifty dollars and zero cents); and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wall as follows:

1. The Township Committee hereby concurs with the recommendations Joseph Lentini, Superintendent of Public Works, to authorize the purchase of the flooring through the State Contract from Custom Concrete at a price not to exceed \$25,050.00 (twenty-five-thousand fifty dollars and zero cents).
2. This resolution is subject to the filing of a certification from the CFO as to the availability of funds per N.J.A.C.5:30-5.3 (a).
3. The Mayor, Municipal Clerk and any other applicable Township officers or employees are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the terms of this resolution.

I, Roberta M. Lang, Township Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a Regular Meeting held on January 27, 2021.

Roberta M. Lang, RMC
Township Clerk

Certification of Funds

I, Thomas O'Hara, Chief Financial Officer of the Township of Wall, do hereby certify to the Township Committee of the Township of Wall that funds are available for the flooring through the State Contract from Custom Concrete at a price not to exceed \$25,050.00 (twenty-five-thousand fifty dollars and zero cents)

Operating		
Account	Description	Amount
1-01-26-291-000-299	DPW – Special Projects	\$25,050.00

Thomas O'Hara, CFO
Chief Financial Officer

Date:

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 21-0151

**AUTHORIZATION TO APPOINT MEMBERS TO THE SENIOR CITIZENS
ADVISORY BOARD**

WHEREAS, the Council shall consist of nine members during the first year and such additional number as may be deemed appropriate and necessary by the Township Committee to effect the purpose of this article; and

WHEREAS, the Township Committee shall appoint three (3) members for one (1) year, three (3) members for two (2) years, and three (3) members for three (3) years and the Township Committee shall appoint or reappoint members for three-year terms; and

WHEREAS, All of the members shall be residents of the Township and shall be of the age of 62 years or older, except for the Township liaison member who may be of any age; and

BE IT RESOLVED by the Township Committee of the Township of Wall that the following appointments be and are hereby made to the Senior Citizens Advisory Board.

<u>REGULAR MEMBER</u>	<u>LENGTH OF TIME</u>	<u>EXPIRING</u>
Marie Price	Reappointed: 3-year term	12/31/2023
Ruth Brant	Reappointed: 3-year term	12/31/2023

I, Roberta M. Lang, Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a Meeting held on January 27, 2021.

Roberta M. Lang, RMC
Township Clerk

TOWNSHIP OF WALL
RESOLUTION NO. 21-0152

AUTHORIZATION TO APPROVE CERTAIN PERSONNEL ACTIONS

WHEREAS, the Department Head(s) of the department(s) referenced below recommended the appointment of the following individuals; and

WHEREAS, the Township Administrator concurs with the findings of the Department Heads and hereby recommends to the Township Committee that the following appointments be made.

NAME	DEPARTMENT/POSITION	SALARY	EFFECTIVE DATE
Dean Kessler	DPW/ Part-Time Recycling Center Attendant	\$13.96/ hour	1/28/2021

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wall that the following personnel actions be and are hereby authorized on the effective date included herein.

I, Roberta M Lang, Township Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a Regular Meeting held on January 27, 2021.

Roberta M. Lang, RMC
Municipal Clerk

TOWNSHIP OF WALL

RESOLUTION NO. 21-0153

**AUTHORIZATION OF TRANSFERS BETWEEN APPROPRIATION RESERVES –
N.J.S.A. 40A:4-59**

WHEREAS, N.J.S. 40A:4-59 provides that all unexpended balances carried forward after the close of the fiscal year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allows transfers to be made from unexpended balances to those which are expected to be insufficient during the first three (3) months of the succeeding year;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wall, in the County of Monmouth, New Jersey, (2/3 of the majority of the full membership concurring herein) that transfers between 2020 Budget Appropriation Reserves be made as follows:

	<u>Current Fund</u>	
	From	To
Legal Services – Other Expense		\$28,000.00
Insurance – Employee Group Health Insurance	\$28,000.00	
Total	\$28,000.00	\$28,000.00

I, Roberta Lang, Municipal Clerk of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Council of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on January 27, 2021.

Roberta M. Lang, RMC
Municipal Clerk

TOWNSHIP OF WALL

RESOLUTION NO. 21-0154

AUTHORIZATION TO EXECUTE CHANGE ORDER NUMBER ONE WHICH DECREASES THE CONTRACT IN THE AMOUNT OF \$28,113.75 WITH MECO, INC. FOR 2018 PAVING OF VARIOUS ROADS

WHEREAS, the Township of Wall and MECO, Inc. are parties to a contract for 2018 paving of various roads in an original amount of \$28,113.75 (twenty-eight thousand one hundred thirteen dollars and seventy-five cents); and

WHEREAS, MECO, Inc. submitted Change Order No. 1 - in the amount of decrease \$28,113.75 (twenty-eight thousand one hundred thirteen dollars and seventy-five cents) which adjusts the contract amount to reflect adjustments for actual construction quantities, making the total contract price \$1,504,621.55 (one million five hundred four thousand six hundred twenty-one dollars and fifty-five cents) after Change Order No. 1 is executed; and

WHEREAS, the Township's Engineer, Matthew Zahorsky has reviewed the project and Change Order No. 1 and recommends that the Township execute Change Order No. 1 in an amount of decrease \$28,113.75 (twenty-eight thousand one hundred thirteen dollars and seventy-five cents); and

WHEREAS, the total new contract price shall be \$1,504,621.55 (one million five hundred four thousand six hundred twenty-one dollars and fifty-five cents) after Change Order No. 1 has been accepted and executed by the Township; and

WHEREAS, the certification of the Township Chief Financial Officer is attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Wall, County of Monmouth, New Jersey that Change Order No. 1 - in an amount of decrease \$28,113.75 (twenty-eight thousand one hundred thirteen dollars and seventy-five cents) for the contract between the Township of Wall and MECO, Inc. be executed thereby decreasing the new total contract price for the project to \$1,504,621.55 (one million five hundred four thousand six hundred twenty-one dollars and fifty-five cents).

BE IT FURTHER RESOLVED that all Township officials including, but not limited to, the Mayor, Township Administrator, Township Director of Engineering and Planning, and the Municipal Clerk, are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.

I, Roberta M. Lang, Municipal Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a Regular Meeting held on January 27, 2021.

Roberta M. Lang, RMC
Municipal Clerk

TOWNSHIP OF WALL
RESOLUTION NO. 21-0155

**AUTHORIZATION TO EXECUTE CHANGE ORDER NUMBER TWO WHICH
DECREASES THE CONTRACT IN THE AMOUNT OF \$113,884.36 WITH MECO,
INC.FOR 2019 PAVING OF VARIOUS ROADS**

WHEREAS, the Township of Wall and MECO, Inc. are parties to a contract for 2019 paving of various roads in an original amount of \$113,884.36 (one hundred thirteen thousand eight hundred eighty-four dollars and thirty-six cents); and

WHEREAS, MECO, Inc. submitted Change Order No. 2 - in the amount of decrease \$113,884.36 (one hundred thirteen thousand eight hundred eighty-four dollars and thirty-six cents) which adjusts the contract amount to reflect adjustments for actual construction quantities, making the total contract price \$1,255,934.64 (one million two hundred fifty-five thousand nine hundred thirty-four dollars and sixty-four cents) after Change Order No. 1 is executed; and

WHEREAS, the Township's Engineer, Matthew Zahorsky has reviewed the project and Change Order No. 1 and recommends that the Township execute Change Order No. 2 in an amount of decrease \$113,884.36 (one hundred thirteen thousand eight hundred eighty-four dollars and thirty-six cents); and

WHEREAS, the total new contract price shall be \$1,255,934.64 (one million two hundred fifty-five thousand nine hundred thirty-four dollars and sixty-four cents) after Change Order No. 2 has been accepted and executed by the Township; and

WHEREAS, the certification of the Township Chief Financial Officer is attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Wall, County of Monmouth, New Jersey that Change Order No. 2 - in an amount of decrease \$113,884.36 (one hundred thirteen thousand eight hundred eighty-four dollars and thirty-six cents) for the contract between the Township of Wall and MECO, Inc. be executed thereby decreasing the new total contract price for the project to 1,255,934.64 (one million two hundred fifty-five thousand nine hundred thirty-four dollars and sixty-four cents).

BE IT FURTHER RESOLVED that all Township officials including, but not limited to, the Mayor, Township Administrator, Township Director of Engineering and Planning, and the Municipal Clerk, are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.

I, Roberta M. Lang, Municipal Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a Regular Meeting held on January 27, 2021.

Roberta M. Lang, RMC
Municipal Clerk

TOWNSHIP OF WALL

RESOLUTION NO. 21-0156

AUTHORIZATION TO ESTABLISH THE TIME SET ASIDE FOR PUBLIC COMMENT AT WALL TOWNSHIP COMMITTEE MEETINGS

WHEREAS, the Township Committee of the Township of Wall highly values the input of its citizens in making important decisions which affect the residents of our community; and

WHEREAS, the Township Committee of the Township of Wall believes in the rights of citizens to observe Township Committee Meetings and have meaningful participation; and

WHEREAS, the Township Committee Council of Township of Wall wishes to ensure that all of its citizens have an opportunity to attend Township Committee Meetings and offer comment; and

WHEREAS, pursuant to the N.J.S.A. 10:4-12(a), the Township Committee is required to set aside a portion of each public meeting for public comment on issues which may be of a concern to the public, the length of which portion is to be determined by the Township Committee at its discretion; and

WHEREAS, the Township Committee, in exercising its discretion under N.J.S.A. 10:4-12(a), and in the interest of giving all citizens an opportunity to offer public comment, finds that it is in its best interests to permit any interested member of the public to comment for a total of five (5) minutes; and

NOW, THEREFORE, BE IT RESOLVED, pursuant to N.J.S.A. 10:4-12(a), the Wall Township Mayor and Committee hereby set aside public comment at each public meeting and will permit each interested member of the public to comment for a total of five (5) minutes; and,

BE IT FURTHER RESOLVED, that all Township officials including, but not limited to the Mayor, the Township Administrator, and the Municipal Clerk, are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.

I, Roberta Lang, Municipal Clerk of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Council of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on January 27, 2021.

—
Roberta Lang, RMC
Municipal Clerk

Draft